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14 **UNITED STATES DISTRICT COURT**

15 **SOUTHERN DISTRICT OF CALIFORNIA**

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CATHERINE M. HERZOG, as an individual and on behalf of all others similarly situated,	Civil Action No. **07 CV 0037 IEG (NLS)**
Plaintiff,	**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)**
vs.	
DEAN FOOD COMPANY, a Delaware corporation, and **VENTURA FOODS, LLC,** a Delaware limited liability company,	*CLASS ACTION*
	JURY TRIAL REQUESTED
Defendants.	

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25   NOTICE IS HEREBY GIVEN that, pursuant to Rule 41(a)(1) of the Federal Rules of

26 Civil Procedure, plaintiff voluntarily dismisses the above-captioned action with prejudice, in its

27 entirety and as to all parties, given that no responsive pleading or motion for summary judgment

28 has been filed in the matter, and that all claims herein have been settled as part of the class

1 settlement given final Court approval, with judgment entered April 18, 2008, in the case filed in

2 the California Superior Court for the County of Los Angeles, styled as, *Bienstock v. Ventura*

3 *Foods, LLC*, Case no. BC362937.

4   Hewell Law Firm

5

6   DATED: December 30, 2008.   /s/Harold M. Hewell_____
                                                                   Harold M. Hewell

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14   ATTORNEYS FOR PLAINTIFF

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